

1 DEAN S. KRISTY (CSB NO. 157646)
2 dkristy@fenwick.com
3 JENNIFER C. BRETAN (CSB NO. 233475)
4 jbretan@fenwick.com
5 MARA R. LUDMER (CSB No. 307662)
6 mludmer@fenwick.com
7 FENWICK & WEST LLP
8 555 California Street, 12th Floor
9 San Francisco, CA 94104
10 Telephone: (415) 875-2300
11 Facsimile: (415) 281-1350

12 Attorneys for Defendants
13 Tesla, Inc. and Elon Musk

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KALMAN ISAACS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ELON MUSK and TESLA, INC.,

Defendants.

Case No. 3:18-cv-04865-EMC

**STIPULATION REGARDING
ADMINISTRATIVE MOTION TO
RELATE CASES AND ~~PROPOSED~~
ORDER RELATING CASES**

(Civil L.R. 3-12, 7-11, and 7-12)

Judge: Hon. Edward M. Chen

Date Action Filed: August 10, 2018

FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO

WHEREAS, on August 10, 2018 plaintiff Kalman Isaacs filed a complaint alleging violation of the federal securities laws against Tesla, Inc. and Elon Musk, captioned *Isaacs v. Musk et al.*, Case No. 3:18-cv-04865-EMC (“*Isaacs*”); and

WHEREAS, on August 30, 2018 plaintiff Shahram Sodeifi filed a complaint alleging violation of the federal securities laws against the same defendants, captioned *Sodeifi v. Tesla, Inc. et al.*, Case No. 2:18-cv-07575-DMG (“*Sodeifi*”); and

WHEREAS, on August 24, 2018, pursuant to the stipulation of the parties, this matter was transferred to the Northern District of California and is now assigned to the Honorable Richard Seeborg, Case No. 3:18-cv-05899-RS; and

WHEREAS the parties believe the actions should be related because (1) they are purported class actions, asserting the same causes of action under Section 10(b) and 20(a) of the Securities Exchange Act of 1934, against the same defendants, and arising from the same circumstances; and (2) it would be unduly burdensome, involve unwarranted duplication of effort and expense, and give rise to the prospect of inconsistent or conflicting results if the cases were heard by different Judges.

IT IS ACCORDINGLY STIPULATED, pursuant to Civil Local Rules 3-12, 7-11 and 7-12, by and between undersigned counsel for the parties, that these matters should be related.

Dated: September 27, 2018

FENWICK & WEST LLP

By: /s/ Jennifer C. Bretan
Jennifer C. Bretan

Attorneys for Defendants Elon Musk and Tesla, Inc.

Dated: September 27, 2018

By: /s/ *Marc Y. Lazo*
Marc Y. Lazo

2105 Foothill Blvd., Suite B121
La Verne, CA 91750
Phone No.: (855) 471-1110
Fax No.: (855) 471-1110

Attorneys for Plaintiff, Kalman Isaacs

1 Pursuant to Local Rule No. 5-1(i)(3), all signatories concur in filling this stipulation.

2 Dated: September 28, 2018

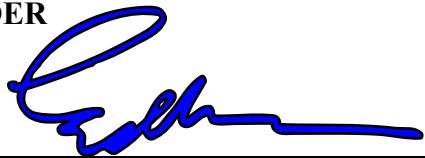
By: /s/ Jennifer C. Bretan
Jennifer C. Bretan

3 * * *

5 ~~PROPOSED~~ ORDER

6 PURSUANT TO STIPULATION, IT IS SO ORDERED.

7 Dated: October 2, 2018


Hon. Edward M. Chen
United States District Court Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO